

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

} MDL No. 1456
Master File No. 01-CV-12257-PBS

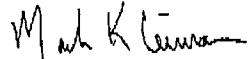
THIS DOCUMENT RELATES TO:
United States ex rel. Linnette Sun and Greg Hamilton, Relators et al.
v.
Baxter Hemoglobin Therapeutics et al.

Judge Patti B. Saris

MAY 2009 STATUS REPORT

The undersigned counsel for Plaintiffs and Defendants hereby submit the attached Status Report for May 2009, in accordance with the Court's June 17, 2004 Procedural Order.

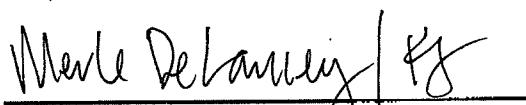
DATED this 4th day of May, 2009.



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Mark Kleiman
Date: 2009.05.03
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Mark Allen Kleiman
2907 Stanford Avenue
Venice, CA 90292
Counsel for Relators

Respectfully submitted,



Merle DeLaney
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
Counsel for Defendant Baxter International Inc.



Lauren John Udden
15 W. Carrillo St., Ste. 101B
Santa Barbara, CA 93101
Counsel for Relators

CERTIFICATE OF SERVICE

I hereby certify that I, Ruchi Jain, an attorney, caused a true and correct copy of the foregoing, MAY 2009 STATUS REPORT, to be delivered to all counsel of record by electronic service via LexisNexis File & Serve, on May 4, 2009, for posting and notification to all parties.

/s/ Ruchi Jain
Ruchi Jain
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200

MAY 2009 STATUS REPORT

PRIVATE CLASS CASE	MDL DOCKET NUMBER	JURISDICTION	STATUS
United States ex rel. Sun and Hamilton, Relators et al. v. Baxter Hemoglobin Therapeutics et al.	Master File No. 01-CV-12257-PBS	D. Mass, pursuant to JPML order	<ul style="list-style-type: none"> • Transferred to MDL 1456 by JMPL on July 14, 2008 • Court Order entered on July 15, 2008: consolidating <i>Sun</i> case with the lead case #01-12257 • Court received MDL record from US District Court, District of Colorado on August 5, 2008